

ORGANIZAÇÃO DA EDUCAÇÃO ESPECIAL EM UMA REDE ESTADUAL DE ENSINO SOB O PRISMA DAS POLÍTICAS PÚBLICAS

ORGANIZACIÓN DE LA EDUCACIÓN ESPECIAL EN UNA RED ESTADUAL DE ENSEÑANZA BAJO EL PRISMA DE LAS POLÍTICAS PÚBLICAS

ORGANIZATION OF SPECIAL EDUCATION IN A STATE NETWORK UNDER PUBLIC POLICY PRISMA

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RESUMO: Na atualidade, surgem oportunidades de acesso aos direitos educacionais com a aprovação de documentos inseridos no repertório das políticas públicas, que garantem aos alunos com Necessidades Educacionais Especiais (NEE) a obrigatoriedade da matrícula na escola comum e participar do atendimento em todos os níveis de ensino. O presente estudo objetivo descrever a organização da educação especial, na rede estadual de ensino do Ceará, a partir da Constituição de 1988, para identificar articulações com as políticas públicas nacionais e o desenvolvimento de iniciativas próprias direcionadas à efetivação da inclusão escolar dos alunos com NEE. Para tanto, realizou-se uma pesquisa documental, direcionada ao estudo de dispositivos legais e técnicos disponíveis no âmbito da administração da educação cearense. As estatísticas demonstraram o crescimento das matrículas dos alunos na escola comum, em substituição às classes/escolas especializadas, expressão das políticas públicas nacionais, que ratificam, pelo menos, em termos legais, os preceitos da educação inclusiva.

PALAVRAS-CHAVE: Educação especial. Políticas públicas. Rede estadual de ensino. Perspectiva inclusiva.

RESUMEN: *En la actualidad, surgen oportunidades de acceso a los derechos educativos con la aprobación de documentos insertados en el repertorio de las políticas públicas, que garantizan a los alumnos con Necesidades Educativas Especiales (NEE) la obligatoriedad de la matrícula en la escuela común y participar de la atención en todos los niveles de educativos. El presente estudio desea describir la organización de la educación especial, en la red estadual de enseñanza de Ceará, a partir de la Constitución de 1988, para identificar articulaciones con las políticas públicas nacionales y el desarrollo de iniciativas propias dirigidas a la efectividad de la inclusión escolar de los alumnos con NEE. Para estos fines, se realizó una investigación documental, dirigida al estudio de dispositivos legales y técnicos disponibles en el ámbito de la administración de la educación cearense. Las estadísticas demostraron el crecimiento de las matrículas de los alumnos en la escuela común, en sustitución de las clases / escuelas especializadas, expresión de las políticas públicas nacionales, que ratifican, al menos, en términos legales, los preceptos de la educación inclusiva.*

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PALABRAS CLAVE: *Educación especial. Políticas públicas. Redes estaduais de enseñanzas. Perspectiva inclusiva.*

ABSTRACT: *At present, opportunities for access to educational rights come up with the approval of documents inserted in the repertoire of public policies, which guarantee to students with special educational needs (NEE) the compulsory enrollment in the regular school and participating in the attendance at all levels of education. The objective of this study is to describe the organization of special education in Ceará the state education system, as of the 1988 Constitution, to identify articulations with national public policies and the development of own initiatives directed at the effective inclusion of students with NEE. For that, a documentary research was conducted, aimed to the study of legal and technical devices available within the scope of the administration of education in Ceará. Statistics have shown the growth of student enrollments in the regular schools, in replacement to the specialized classes / schools, the expression of national public policies, which ratify, at least in legal terms, the precepts of inclusive education.*

KEYWORDS: *Special education. Public policy. State education network. Inclusive perspective.*

Introduction

The first initiatives to assist people with disabilities in Brazil came from isolated actions of individuals who mobilized in the attempt to provide some attendance, which, in general, was characterized as care and private.

In the 1960s, actions from the public power were registered in the light of the rights contemplated in the Law of Directives and Bases of National Education, LDB n° 4024/61. In the 1970s, technical and pedagogical support actions were developed for specialized institutions in the states and municipalities, as well as the creation / expansion of the number of special classes within the public school.

These initiatives of the public power that extended spaces of rights to people with disabilities are due to the intensification of the struggles of social movements (LANCILLOTTI, 2003). Public policies correspond to programs of action, which involve "[...] always a certain social definition of reality, expressed in the way of understanding the causes of the problems to be solved, as well as in the proposals for their solution"² (DOURADO, 2010, p. 30), in a dynamic context of disputed projects, so that their implementations do not always fit their plans.

With the promulgation of the Federal Constitution of 1988, the political and social conditions that are most conducive to the creation of educational opportunities for people with

² “[...] sempre uma determinada definição social da realidade, expressa no modo de compreensão das causas dos problemas a serem solucionados, bem como nas propostas para a sua solução” (DOURADO, 2010, p. 30)

disabilities, intensified by the international movements in defense of inclusive education, having as emblematic representative the Declaration of Salamanca. Inclusive education, according to this document, argues that people with special educational needs (SEN) should have access to common schools guided by an integrative pedagogy, to combat all forms of discrimination and to allow access to knowledge (BRASIL, 2008).

In this perspective, LDB 9394/96, in Chapter V, Special Education is established as a school education modality to be offered preferably in the regular educational network and guarantees the specialized educational service to its target audience (BRASIL, 2008).

At the beginning of the 21st century, the adoption of the National Guidelines for Special Education in Basic Education in 2001 reinforces the compulsory enrollment of all students with SEN and assign to the school the guarantee of the attendance and conditions necessary for quality education for all (BRASIL, 2008).

The 2008 National Policy on Special Education in Inclusive Perspective (PNEEPI, Portuguese initials), and the documents resulting from its elaboration, aims at overcoming segregating and alienating actions beyond the pedagogical character of the education of students with SEN, contributing to the expansion of access to schooling with the support of specialized educational services, which should be incorporated into the pedagogical project of institutions of basic and higher education (BRASIL, 2008).

Considering the changes that have occurred in the regulatory frameworks of special education in an inclusive perspective, with growth in the number of students with SEN enrolled, as recorded in school censuses in the last decade, this study aims to describe the organization of special education in the Ceará's state network of teaching, through the public policies approved, from the Federal Constitution of 1988. With this, we seek to identify articulations between the state and national regulatory frameworks, as well as the development of state initiatives aimed at the implementation of the students with SEN school inclusion paradigm.

According to Pietro (2015), the tendency of the Brazilian states and municipalities has been to follow the guidelines of the current national laws and policies, in accordance with the principles of inclusive education. When the number of researches on the subject has increased, the themes investigated focus on pedagogical practices, to the detriment of the analysis of public policies. We also note this gap, when examining the production pertinent to the state of Ceará.

Therefore, this study is of relevance when it contributes to the expansion of productions that focus on the public policies defined at the state level, as a way of understanding the

decision-making from the education systems, to guarantee the realization of the educational rights to the students with SEN.

It is important to know how each government interprets and decides the fulfillment of its responsibilities in face of the purposes advocated by national legislation, respecting its historical course and contextualizing the challenges to be faced in the local reality, in the state and municipal levels.

Methodology

The study consists of a descriptive-analytical bibliographical and documentary research, which focuses on data that have not yet been analyzed, since the documents accessed are in their original state. Thus, they can be re-elaborated according to the purpose of the research and the design elaborated by the researcher (MATOS, 2001), in the analysis.

We collected documents of international (Declaration of Salamanca), national (Federal Constitution of 1988, LDB 9394/96, National Guidelines for Special Education, PNEEPI, Resolution N ° 04/2009, New National Plan of Education) and state scope. Therefore, the set of documents of state scope, central focus of the exploration and analysis, comprised legal and technical dispositions available in the scope of the administration of the education of Ceará.

The state documents were identified through direct search in a regional organ of the state education administration, as well as in the official website of the State Secretariat of Education of Ceará (SEDUC, Portuguese initials). We define as documents of direct interest those produced after the promulgation of the 1988 Constitution: State Constitution of Ceará (1989), State Policy for Special Education (1997), State Council of Education Resolutions No. 361/2000, N ° 394/2004, N ° 436/2012, N ° 456/2016, State Plan of Education - Law No. 16.025 / 2016.

The analysis focused on state documents, organized through a chronological timeline to identify legal definitions and trends that guide the prediction of actions in the state education network, in an inclusive perspective, throughout the demarcated temporality, in addition to verify articulations with national regulatory frameworks, highlighting peculiar aspects of the reality of special education in Ceará.

Results and discussion

Following the definitions of the Federal Constitution of 1988, the Constitution of the State of Ceará of 1989, in Chapter II, which deals with Education, established, in art. 215, § I, "[...] equality of conditions for access and permanence in school"³ (CEARÁ, 1989, p. 130), and in Article 218, § VI established the "[...] special education for disabled people at any age, preferably in the regular educational network"⁴ (CEARÁ, 1989, p. 130).

The two mentioned laws point to maintenance of the enrollment of students with SEN in classes and special schools. In the Constitution of Ceará, Article 22, the right to education is guaranteed in all degrees "[...] whether in ordinary classes or in special classes, when this is necessary"⁵ (CEARÁ 1989, 135).

The specialized educational service (AEE, Portuguese initials) emerges in the above-mentioned legislation as a pedagogical alternative to inscribe the students with SEN in the common schooling, by virtue of the rights conquered, since the Federal Constitution of 1988 and ratified by the Law of Directives and Bases of the National Education LDB N ° 9,394 / 96. With this, the creation of institutions and services emerges, in partnerships celebrated between the federal, state and municipal education systems, with a view to carrying out attendance actions in specific areas.

In 1996, in Ceará, the Integrated Center of Special Education was created, with the objective of promoting specific actions aimed at the psychosocial development of students and their integration into the family, school and social spaces (CEARÁ, 1997).

According to LDB No. 9394/96, the State Education Department of the State of Ceará (SEDUC, Portuguese initials) launched, in 1997, the State Special Education Policy (PEEE, Portuguese initials) based on the defense of the inclusive school that "[...] should provide a specialized service that allows the student, even in regular education, to receive pedagogical and instructional support, according to their potentialities and needs [...]"⁶ (CEARÁ, 1997, p.11). The target audience for Special Education, according to this Policy, are students with mental, visual, auditory, physical, multiple disabilities, high skills and typical behaviors. These students correspond to the target audience indicated by the National Policy on Special Education, 1994.

³ “[...] igualdade de condições para o acesso e a permanência na escola” (CEARÁ, 1989, p. 130).

⁴ “[...] atendimento educacional especializado aos portadores de deficiência em qualquer idade, preferencialmente na rede regular de ensino” (CEARÁ, 1989, p. 130).

⁵ “[...] quer em classes comuns, quer em classes especiais, quando isto se fizer necessário” (CEARÁ, 1989, p. 135).

⁶ “[...] deve propiciar um atendimento especializado que permita ao aluno, mesmo inserido no ensino regular, receber apoio pedagógico e instrucional, segundo as suas potencialidades e necessidades [...]" (CEARÁ, 1997, p. 11).

PEEE defended the deployment of specialized care centers in the capital and in the interior of the State, in order to reshape Special Education in Ceará, following a proposal for expansion, internalization and inclusion of the student with SEN in common education (CEARÁ, 1997), through partnerships between state and municipal governments. The Specialized Pedagogic Support Centers constitute "pedagogical spaces that have a multiprofessional team, composed of pedagogues, social workers, psychologists, speech therapists and occupational therapists, equipped with specific pedagogical resources"⁷ (CEARÁ, 2015).

According to Figueiredo (2003, p. 22), "The principles that guide the State Policy of Special Education of the State of Ceará point to the guarantee of access, permanence and educational termination of the person with special educational needs".⁸

In 2004, the Education Council of Ceará approved the Resolution No. 394/2004, establishing norms for the education of students with SEN in the state education system, based on what determined the LDB nº 9.394 / 96, Resolution no. 02/2001 and Decree 3,956 / 2001.

In art. 01 of Resolution No. 394/2004, SEN were defined as "[...] those related to learning difficulties that interfere with the schooling of any student, temporary or permanent"⁹ (CEARÁ, 2004, p.1). The art. 02, of the same document, specified that students with SEN are those who present: marked difficulties in learning or developmental limitations, physical and biological difficulties, communication difficulties, outstanding performance and high potential in different areas.

According to art. 09 of this Resolution, "Special education will be offered in public and private networks, starting with early childhood education"¹⁰ (CEARÁ, 2004, p. 03). Already the art. 13 argues that the school should accommodate pupils with SEN, regardless of their disability, and that "[...] attendance should be given in common classes at all levels and modes of teaching, respecting the recommended pedagogical requirements"¹¹ (CEARÁ, 2004, p. 10).

⁷ "espaços pedagógicos que contam com uma equipe multiprofissional, composta de pedagogos, assistentes sociais, psicólogos, fonoaudiólogos e terapeutas ocupacionais, equipados com recursos pedagógicos específicos" (CEARÁ, 2015).

⁸ Figueiredo (2003, p. 22), "Os princípios que norteiam a Política Estadual de Educação Especial do Estado do Ceará apontam para a garantia do acesso, permanência e terminalidade educacional da pessoa com necessidades educativas especiais".

⁹ "[...] aquelas relacionadas às dificuldades de aprendizagem que interferem na escolarização de todo e qualquer aluno, temporárias ou permanentes" (CEARÁ, 2004, p. 1).

¹⁰ "A educação especial será oferecida nas redes pública e privada, a partir da educação infantil" (CEARÁ, 2004, p.03).

¹¹ "[...] atendimento ser feito em classes comuns, em todos os níveis e modalidades de ensino, respeitadas as exigências pedagógicas recomendadas" (CEARÁ, 2004, p. 10).

With regard to specialized attendance services, art. 14 stipulated that schools should organize themselves to offer it, according to the specificities of the students, through several services: resource rooms, pedagogical and psycho-pedagogical support, roaming services.

From the PNEEPI operation, there was an expansion of the access of students with SEN to schooling in common education at the national level. In Ceará, too, in the last decade, there was an increase in enrollments of students with SEN in the common education, when compared to the increase of the enrollments in specialized institutions. Balbinot (2016), in a recent study on the evolution of special education in Ceará, from 2005 to 2014, found a migration of the attendance of students with SEN from exclusively specialized schools and from special classes to the regular classes of regular education, in the public and private institutions.

Therefore, we can point to some degree of adherence to PNEEPI by the government of Ceará, since, according to Bueno and Melletti (2013), the enrollment situation becomes relevant indicators for the evaluation of special education policies.

However, Balbinot warns that the number of subjects attended by special education in comparison with the total number of students corresponded to only 01% of the population with the right to special education. Balbinot portrays, at the state level, the historical exclusion experienced by the public of special education, imposing on the public power, in addition to addressing pedagogical challenges (promoting the learning of those students already enrolled), the task remains to universalize enrollment, as recommended by the PNE.

In spite of quantitative advances, Kassar (2011) emphasizes the relevance of the different sectors of society involved in struggles that guarantee the elaboration of policies for the entire population, unlike the configuration still in force in the country.

In fact, the expansion of access to schooling for students with SEN has generated, for education systems, new demands on special education, which are met as recommended by national guidelines whose focus is on specialized attendance, which can also be carried out in specialized centers, in partnerships with private institutions. In Ceará, in 2010, SEDUC created the Reference Center for Education and Specialized Care of Ceará – CREAECE (Portuguese initials), bringing together the other public institutions of State Specialized Attendance in the same institution.

The CREAECE develops AEE services, production and transcription of accessible didactic material for students with visual impairment, continuing education in the area of special education, support and guidance to families or responsible students (CEARÁ, 2015). According to Matos (2012, p. 65), CREAECE: "It is an institution that promotes actions of integrated public

policy, counting on the partnership of public and private institutions and the community in general".¹²

In the year 2012, the State Education Council (CEE, Portuguese initials) published the Resolution No. 436/2012, which deals with AEE, as PNEEPI recommends, because the education system did not elaborate a new state policy on special education. In 2016, this document was revoked by Resolution No. 456/2016, which sets standards for Special Education and AEE, within the Ceará education system.

Resolution No. 456/2016 defines, in Article 1, "Special Education, as a transversal modality at all levels, stages and modalities of education, is an integral part of regular education, and should be foreseen in the pedagogical project of the school unit"¹³ (CEARÁ, 2016a, p.01). Article No. 02 defines as the target audience for special education students with disabilities, global developmental disorders and high skills / giftedness.

Article N° 09 requires that education systems offer AEE, "[...] whose function is to identify, elaborate and organize pedagogical resources for accessibility that alleviate barriers to the full participation of students"¹⁴ (CEARÁ, 2016a, 03). The same article recommends that AEE should supplement and / or supplement the training of students in common education, to be carried out, as a priority, in the multifunctional resource room (SRM, Portuguese initials) of the regular school, but may also occur in public educational centers and private, in addition to providing, in article 11, other spaces for its realization, such as the hospital and home environments.

The professional, to work in the AEE, according to art. 17, should have "[...] initial training that enables him to practice teaching and specific training in Special / Inclusive Education or training courses in AEE"¹⁵ (CEARÁ, 2016a, p. 06).

The State Education Plan, Law No. 16.025 / 2016, among other aspects that deviate from Goal 04, of the National Education Plan, are the following: inclusion of students with eating disorders in the group of students entitled to AEE. The strategies include expanding the number of multifunctional resource rooms and deploying specialized centers, such as

¹² Segundo Matos (2012, p.65), o CEEACE: "É uma instituição promotora de ações de política pública integrada, contando com a parceria das instituições públicas e privadas e da comunidade em geral".

¹³ "Educação Especial, como modalidade transversal a todos os níveis, etapas e modalidades de ensino, é parte integrante da educação regular, devendo ser prevista no projeto pedagógico da unidade escolar" (CEARÁ, 2016a, p. 01).

¹⁴ "[...] que tem como função identificar, elaborar e organizar recursos pedagógicos de acessibilidade que atenuem as barreiras para a plena participação dos alunos" (CEARÁ, 2016a, 03).

¹⁵ "[...] formação inicial que o habilite para o exercício da docência e formação específica na Educação Especial/Inclusiva ou cursos de formação em AEE" (CEARÁ, 2016a, p. 06).

CREACE, in the state's macro-regions; guarantees the participation of professionals to support students with SEN in school, in addition to ensuring the regulation of the professional caregiver's role.

The PEE also commits itself to the qualification of the service and the performance of the SRM teachers, through continuous training and guarantee of systematized pedagogical follow-up, besides the acquisition of material resources necessary for the development of the AEE services, in the institutions of education (CEARÁ, 2016b).

Final considerations

In the introduction, we use the concept of public policies as an expression of the analysis of the problems identified in society and the consequent direction of the solutions to be achieved. In view of this, the examined public policies of the state of Ceará ratified the solutions contained in the regulatory frameworks pertinent to special education at the national level, over the years, following the precepts of inclusive education, according to PNEEPI. We have identified this, also, in the data that register the enrollments of the pupils with SEN in the common education with AEE.

We observed in the Resolutions 436/2012 and 456/2016 the expression of the moment in which the area of special education, in Brazil, is currently based on PNEEPI and Resolution No. 4/2009, aiming at the implementation of AEE in regular educational institutions, to guarantee access to schooling at all levels, by linking it to the pedagogical project of schools.

The resolutions maintain the same groups of students that make up the target audience for special education established by PNEEPI, however, in the PEE, the inclusion of students with eating disorders in the AEE is guaranteed, as a definition of itself, as it goes beyond any others already established.

It is worth mentioning that Resolution No. 456/2016 seems to fulfill the function of updating the PEEE, which did not have a new edition, after 1997, although the education system demonstrates strictly following the flow of elaboration of the national legal provisions.

The PEE demonstrated the intention to deploy specialized services through CREACE, which is now more valued, to the detriment of the NAPE, especially after the approval of the PEE, as recommended in the National Education Plan, with the resumption of the strengthening of specialized services in multidisciplinary support centers, with partnerships between public

and private institutions. Thus, there is a tendency to resume the strengthening of private initiative in the provision of special education services, as PNE advocates.

Another aspect that also consolidates, at least in legal terms, is the regulation of the functions of pedagogical support, such as the caregiver, in charge of activities related to hygiene care and student feeding. This aspect is still much debated and sometimes provokes controversy, since it must be assumed and regulated in each state and municipal education system.

Possibly the documents express a tendency of the state government to guarantee its own financial and material investments when it comes to the expansion of SRM and CREACE services, as well as the training actions of the special education professionals, when there is a decline in federal investments in this area.

In the light of the foregoing, we understand that, based on the research findings, it will be relevant and timely to carry out new research specifically directed at empirical research, in order to verify if the trend observed in current legal mechanisms in the state of Ceará has been effective in educational practice, resulting in more inclusive opportunities for students with SEN.

New dialogues between educational reality and public policies need to be developed in order to generate greater clarity and knowledge about the challenges imposed by the new reforms underway in Brazil, so that we are able to defend the rights historically won for the excluded population, such as students with SEN. The scientific and politically engaged debate in the fight for social justice and human emancipation is an important alternative nowadays.

AKNOWLEDGMENTS: To the Fundação Cearense de Apoio ao Desenvolvimento Científico e Tecnológico (FUNCAP).

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How to quote this article:

SANTOS, Geandra Cláudia Silva. Organização da educação especial em uma rede estadual de ensino sob o prisma das políticas públicas. **Revista on line de Política e Gestão Educacional**, Araraquara, v. 23, n. 1, p. 49-60, jan./abr., 2019. E-ISSN: 1519-9029. DOI: 10.22633/rpge.v23i1.11659

Submitted: 09/12/2018

Required revisions: 13/12/2018

Approved: 28/12/2018

Published: 02/01/2019